

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Oumeima Ben Youssef
Application Serial No.: 10/594,914
International Filing Date: March 31, 2005
Filing Date: September 29, 2006
For: **Urinary Incontinence Device**

Confirmation No. 4613
Examiner: Iya Y. Treyger
Group Art Unit: 3761

Date: September 29, 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PRECAUTIONARY NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated March 27, 2008 at least twice rejecting or finally rejecting claims 1-13 and 15-20. Although, Applicant believes that the application is no longer under rejection and is in the process of being allowed, Applicant has not received a formal communication confirming this status. As such, Applicant is filing this Notice of Appeal as a precautionary measure.

☒ The Director is authorized to charge our Deposit Account No. 50-0220 in the amount of \$255.00 for the Appeal fee as provided by 37 C.F.R. § 41.20(b)(1) as required to maintain the pendency of the application. Applicant claims small entity status. See 37 CFR § 1.27.

☐ Please first reapply any previously paid notice of appeal fee and appeal brief.


☐ Payment by credit card is requested. Form PTO-2038 is attached.

☒ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

☐ Also enclosed: _____

☒ The Director is authorized to charge any additional fees that may be required or credit any overpayment to Deposit Account No. 50-0220.

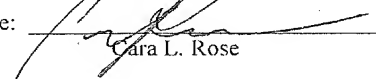
Respectfully submitted,


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on September 29, 2008.

Signature:  _____
Cara L. Rose